

AMENDED IN ASSEMBLY FEBRUARY 27, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 198**

**Introduced by Assembly Member Nation**

January 27, 2003

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An act to add Section 30807.5 to the Streets and Highways Code, relating to streets and highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 198, as amended, Nation. Toll bridges and highways: ~~electronic toll payment device~~ *disclosure of personal information.*

Existing law authorizes the Department of Transportation to fix the rate of tolls on any toll bridge or toll road and to prescribe any rule and regulation with respect to any toll bridge or toll road within the state.

This bill would prohibit the department or any specified transportation agency *or entity* from selling or ~~sharing~~ *disseminating* the actual driving patterns, *address, telephone number, bank account information, or credit card number* of ~~a motorist~~ *any person* who uses an electronic toll payment device ~~to drive through a toll bridge, toll lane, or toll highway~~ *fare or fare collection system. The bill would authorize a transportation agency to provide aggregated traveler information from collective data relating to a group or category of users.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 30807.5 is added to the Streets and Highways Code, to read:

~~30807.5. (a) A transportation agency may not sell or share information about the actual driving patterns of a motorist who uses an electronic toll payment device to drive through a toll bridge, toll lane, or toll highway.~~

~~(b)~~

30807.5. (a) A transportation agency or private entity under contract with a transportation agency to administer an electronic toll fare or fare collection system, may not sell or disseminate the personal information, including, but not limited to, travel pattern data, address, telephone number, bank account information, or credit card number of any person who subscribes to an electronic toll fare or fare collection system.

(b) This section does not prohibit a transportation agency in subdivision (a) from providing aggregated traveler information derived from collective data that relates to a group or category of vehicles from which individual motorist identities and characteristics have been removed.

(c) For purposes of this section, “transportation agency” means the Department of Transportation, a ~~toll collection agency,~~ ~~or any other transportation~~ regional transportation planning agency, a countywide transportation planning agency, a transit district, any entity operating a toll bridge, toll lane, or toll highway within the state, any eligible claimant under the Transportation Development Act (Chapter 4 (commencing with Section 99200) of Part 11 of Division 10 of the Public Utilities Code), or any entity under contract with any of the above agencies, entities, or districts.

(d) For purposes of this section, “electronic toll fare or fare collection system” is a system where a transponder or other electronic medium is used to deduct payment of a toll or fare from a users account.